Clarification for Policy & Procedure 8200

MARC Head Start
Criminal Background Checks (supplemental information)

42 USC 9858f-Criminal Background Checks
(Disqualification Factors)

(c) PROHIBITIONS

(1) CHILD CARE STAFF MEMBERS

A child care staff member shall be ineligible for employment by a child care provider that is receiving assistance under this subchapter if such individual—

(D) Has been convicted of a felony consisting of—

(i) murder, as described in section 1111 of title 18;
(ii) child abuse or neglect;
(iii) a crime against children, including child pornography;
(iv) spousal abuse;
(v) a crime involving rape or sexual assault;
(vi) kidnapping;
(vii) arson;
(viii) physical assault or battery; or
(ix) subject to subsection (e)(4), a drug-related offense committed during the preceding 5 years; or

(E) has been convicted of a violent misdemeanor committed as an adult against a child, including the following crimes: child abuse, child endangerment, sexual assault, or of a misdemeanor involving child pornography.

Source: Legal Information Institute
3/10/17

Reviewed: 8/13/25